

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **May 28, 2002**

AGENDA ITEM NO.: 9

CONSENT:

REGULAR: **X**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: **Hit and run accidents.**

RECOMMENDATION: Repeal Sections 25-56 through 25-67 dealing with hit and run accidents from the City Code.

SUMMARY: The State Code allows local governments to adopt ordinances regulating traffic on public streets. However, violations of such ordinances can only be punished as misdemeanors. Sections 25-56 through 25-67 of the City Code make it an offense for someone who is involved in a motor vehicle accident to leave the scene of the accident without providing identification information and rendering assistance to injured persons. The failure to stop at the scene of an accident is punished as a Class 1 Misdemeanor. At the time these sections of the City Code were adopted the maximum punishment provided by state law for a hit and run accident was a Class 1 Misdemeanor. The General Assembly subsequently amended the State Code to provide that the failure to stop at the scene of an accident when someone is injured or killed is punishable as a Class 6 Felony. Since the punishment for violating in the City Code is less than the punishment provided by state law it is appropriate to consider repealing Sections 25-56 through 25-67 of the City Code. Individuals that commit hit and run accidents will be charged with violating State law, instead of violating the City Code, and will face the maximum punishment allowed for such an offense. The Commonwealth Attorney's Office and the Police Department support repealing Sections 25-56 through 25-67 of the City Code.

PRIOR ACTION(S): None

FISCAL IMPACT: Possible loss of fines imposed on individuals who commit hit and run accidents. The loss of such fines should have a minimal impact on the City.

CONTACT(S): Walter C. Erwin, 847-1310 Ext. 235

ATTACHMENT(S): Ordinance repealing Sections 25-56 through 25-67 of the City Code.

REVIEWED BY:

ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF LYNCHBURG, 1981, BY REPEALING SECTIONS 25-56 THROUGH 25-67, RELATING TO HIT AND RUN ACCIDENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended by repealing Sections 25-56 through 25-67.
2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

Clerk of Council

122L